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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/181,823	10/29/1998	KENNETH SCOTT RAMEY	85934-1	1327

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EXAMINER

PHAM, BRENDA H

ART UNIT

PAPER NUMBER

2664

DATE MAILED: 03/15/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/181,823

Applicant(s)

RAMEY

Examiner

Brenda Pham

Art Unit

2664



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on Oct 29, 1998

2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-9 is/are pending in the application

4a) Of the above, claim(s) _____ is/are withdrawn from consideration

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-9 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirements

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☒ Notice of References Cited (PTO-892)

18) ☐ Interview Summary (PTO-413) Paper No(s). _____

16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)

19) ☐ Notice of Informal Patent Application (PTO-152)

17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 5, 6

20) ☐ Other: _____

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DETAILED ACTION

1. Claims 1-9 have been examined.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

3. Claims 1-9 are rejected under 35 USC 102(e) as being anticipated by **Christie, IV et al** (US 6,324,265), hereinafter referred to as **Christie**.

-Regarding claims 1 and 7, **Christie** discloses a distributed system for establishing a voice communication session, the voice communication session being established by executing a series of functions, said distributed system comprising (referring to figure 1A): a client device (104, 106, 111; 113) constituting an originating point of the voice communication session; a plurality of servers (voice mail server 116, e-mail server 117, audio stream server 118) capable to be placed in a data communicative relationship with said client device (104, 106), each server (116, 117, 118) being capable of establishing a data exchange transaction with the client device (104, 106) to execute a certain function of the communication session, each server being characterized in that it establishes a data exchange transaction with said client device in a manner autonomous from a data exchange transaction between said client device and a different server.

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Christie teaches "IP network 100 may also include an electronic mail (e-mail) server 117 for processing e-mail or other messages. Examples of messages include, but are not limited to, e-mail, voice mail, text, audio or visual information, multimedia information, or programming information. A media stream server 118 provides multimedia connections through IP packet network 100 to various sources. A gatekeeper 115 provides and controls services through the network such as call waiting. Other devices may interface IP network 100, such as a device for transmitting video information. Communications devices are thus media independent and may typically process a variety of information such as, for example, voice, multimedia, video, and control or programming signals.", (col. 3, line 40-53).

-Regarding claims 2 and 3, a "server", such as that discloses by Christie, is a computing device including a processor for processing digital data, a memory coupled to processor for storing digital data, an input digitizer coupled to the processor for inputting digital data, an application program stored in memory and accessible by processor for directing processing of digital data by processor, a display coupled to the processor and memory for displaying information derived from digital data processed by processor and a plurality of databases.

-Regarding claims 4 and 5, **Christie** discloses a private branch exchange network (Intranet 100) to permit establishment of internal and external voice communication sessions, said private branch exchange network including (referring to FIG. 1A): a plurality of nodes (router 107, gatekeeper 115, IP-PSTN gateway 101, audio stream server 118, e-mail server 117, voice mail server 116) capable of communicating with one another by exchange of data packets (IP packet) to exchange to establish and conduct a voice communication session; said network including at least one node (IP-PSTN gateway 101) capable of forming a gateway with a PSTN to permit establishment of external voice communication session.

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-Regarding claims 6, 8 and 9, **Christie** teaches that the establishment of a data exchange transaction between said client device and a server comprises the exchange of data packets (request message) between said client device and the server; wherein said data packets are IP data packets, (see figure 1A).

Conclusion

6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for informal or draft communications, please label
"PROPOSED" or "DRAFT")


Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist)

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brenda Pham whose telephone number is (703) 308-0148. The examiner can normally be reached on Monday-Friday from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin, can be reached on (703) 305-4366.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Brenda Pham
March 7, 2002


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